

### **REMARKS**

In order to clarify the distinction between Applicant's invention and the disclosure of Johnson et al. (U.S. Patent No. 5,001,554), claim 7 has been amended. Applicant has argued that the content of full motion video signals received by the input of the terminal of Johnson is not modified in response to subscriber interaction as required by the claims. The significance of this distinction is made more clear by the claim as amended.

In the Advisory Action, the examiner refers to the ability in Johnson to adjust the volume of the signal displayed on the television screen, to select a channel to view a video program or to change channels. These modifications to the viewed program merely modify the display and the volume on the television. The signal received by the input of the Johnson terminal is not changed by these actions. The examiner further refers to interactions between a keyboard or input device with a processor 206 or a character generator 204. These components, the processor 206 and the character generator 204, are provided within the interactive terminal of Fig. 2. Any changes that they make to the program being displayed on the television does not similarly change the signals that get received by the television input of the interactive terminal. The television input to the terminal is shown in Fig. 2 at transmission link 6.

The system manager 12 of Johnson stores screen templates so that the screens can be generated locally at the interactive terminal or, optionally, in a locally generated video modulator 11. When the screen is being provided by the interactive terminal for display at the television set, subscriber interaction is with the local terminal rather than interacting over a data link in the cable television system with a remote interactive process. This local interaction between the subscriber and the screen template allows for an instruction to be provided to the interactive terminal to tune to a selected channel frequency. This local interaction disclosed by Johnson et al. fails to disclose, suggest or teach the interactivity over a data link in the cable television system with an interactive process as taught and claimed by applicant.

Even when communication is established with an optional modulator 11, it does not effect change to a signal capable of full motion video transmitted to the settop terminal. Rather, the data from the modulator is sent over a separate data link or a horizontal or vertical interval that is not capable of full motion video. Claim 7 has been

amended to specify that in accordance with Applicant's invention, subscriber interaction modifies "the full motion video content of the signal capable of full motion video before it gets received by the television input." To the extent Johnson might disclose remote interaction, it only does so for data communication over a separate data link or horizontal or vertical interval such that the full motion video content of the signal for display on the television is unchanged. For the most part, Johnson discloses interactivity with the interactive terminal itself and only affects the signal after it has been received by the television input to the terminal. For these reasons, Applicant submits that claim 7 as amended and all claims depending therefrom should be allowed.

Applicant asks once again that the examiner provide a written indication that the foreign patents and other publications listed in the information disclosure statement filed November 8, 2002 have all been considered. Additional copies were provided with the amendment of March 3, 2004. These include references labeled BJ-BS and ED-ES. Applicant is entitled to notice of full consideration of the prior art or at least an explanation of why such prior art has not been fully considered.

For all the foregoing reasons, Applicant submits that the claims as amended are now in condition for allowance and early notice to that effect is respectfully solicited.

Respectfully submitted,



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